

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(Central Division)

In re:

CHANRANY EM

Debtor

)
)
) Chapter 7
)
)
)

Case No. 12-41149-MSH

**DECLARATION OF PETER T. DAMORE, SR. IN SUPPORT OF DEBTOR'S
MOTION FOR ENTRY OF DISCHARGE NUNC PRO TUNC TO AUGUST 1, 2012**

I, Peter T. DaMore, Sr. hereby declare as follows:

1. I am the Senior Vice President of Sales with Ross Mortgage Company, a retail mortgage broker based in Westborough, Massachusetts. I have worked in the retail mortgage industry for more than thirty years and have been handling Chanrany Em's application for a home mortgage over the last few months.

2. On or about October 2, 2016 I requested and received a "Merged Infile Credit Report" from Birchwood Credit Services, Inc. for Chanrany Em dated October 13, 2016 (the "Em Credit Report").

3. In the section under "Public Records" the Em Credit Report states that all three major consumer credit reporting agencies (Equifax, Experian, and TransUnion) report that Ms. Em received a Chapter 7 discharge in August 2012. A redacted copy of the page of the Em Credit Report reflecting an August 2012 bankruptcy discharge is attached.

4. Based on various credit factors, and the money Ms. Em has available for a down payment, I determined that a loan insured through the Federal Housing Administration (an FHA loan) provided the most affordable, and only likely, source of funding for Ms. Em's planned purchase of a new home.

5. A key element of this determination was based on my understanding from the Em Credit Report that Ms. Em had obtained a Chapter 7 discharge in 2012. This was critical because, in order for Ms. Em to qualify for an FHA loan, she must meet the underwriting guidelines mandated by the U.S. Department of Housing and Urban Development (“HUD”), and the HUD underwriting guidelines effectively make it impossible for a borrower to qualify for an FHA loan if fewer than two years have elapsed since the date of the discharge of the borrower’s bankruptcy.

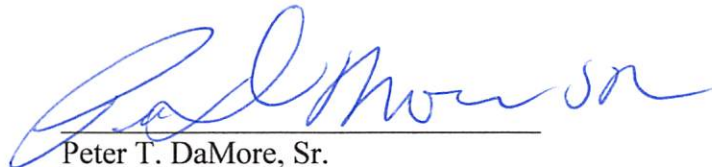
6. As I got further into the processing of Ms. Em’s FHA loan application, however, I discovered that, contrary to what was reported on the Em Credit Report, there is no bankruptcy discharge on Ms. Em’s 2012 bankruptcy case docket.

7. I need a copy of Ms. Em’s Chapter 7 discharge for my loan file in order to show that she is no longer liable for debts incurred prior to her 2012 bankruptcy.

8. However, a discharge dated in the last two years will not satisfy the underwriting requirements for the FHA loan Ms. Em needs to purchase a home, even if it relates back to a Chapter 7 originally filed in 2012. Only a discharge with a date that reflects on its face that at least two years have elapsed will meet the requirements.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 6, 2016


Peter T. DaMore, Sr.

FILE #	FNMA #	DATE COMPLETED 10/13/2016	RQD' BY PETER DAMORE
SEND TO	ROSS MORTGAGE COMPANY, INC.	DATE ORDERED 10/2/2016	
	CUST. #	REPOSITORIES XP/TU/EF	PRPD' BY
	115 FLANDERS ROAD SUITE 120	PRICE \$0.00	LOAN TYPE
	WESTBOROUGH, MA 01581	REF. #	
PROPERTY ADDRESS			
	APPLICANT	CO-APPLICANT	
APPLICANT	EM, CHANRANY	CO-APPLICANT	
SOC SEC #	DOB	SOC SEC #	DOB
MARITAL STATUS		DEPENDENTS	
		PUBLIC RECORDS	
<u>WORCESTER BK</u>		File Date: 03/12	Plaintiff:
Docket #: 1241149		Amount: \$0	Action Type: CHAPTER 7 BANKRUPTCY
Source: XP/TU/EF		Status Date: 08/12	Status: DISCHARGED
*** -DSP-08/12			
		INQUIRIES (LAST 120 DAYS)	
		*** NONE ***	
		SOURCE OF INFORMATION	

**[Lists Experian, TransUnion and Equifax reports pulled on 10/2/16
Redacted due to multiple listings of Social Security Number and date of birth]**

ECOA KEY: B=BORROWER; C=CO-BORROWER; J=JOINT; U=UNDESIGNATED; A=AUTHORIZED USER; P=PARTICIPANT; S=CO-SIGNER

BIRCHWOOD CREDIT SERVICES, INC.: 2617 WHITE MOUNTAIN HWY. P.O. BOX 436, NORTH CONWAY, NH 03860 (P) 800-910-0015 (F) 800-785-0017

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